

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE NORTHERN DISTRICT OF ALABAMA,
NORTHEASTERN DIVISION

THE ALABAMA DEMOCRATIC
CONFERENCE, an Alabama political
action committee, et al.,

Plaintiffs,

v.

LUTHER STRANGE in his official
capacity as the Attorney General of
Alabama; et al.,

Defendants.

CIVIL ACTION NO.
5:11-cv-02449-JEO

Plaintiffs' Notice of New Authority

1. On 12 December 2011, the U.S. Court of Appeals for the Seventh Circuit issued its opinion in *Wisconsin Right to Life State Political Action Committee v. Barland*, No. 11-2623 (“WRTL”). A copy of the slip opinion is attached.

2. The *WRTL* plaintiff brought a First Amendment challenge to a Wisconsin statute “that limits the amount individuals may contribute to state and local candidates, political parties, and political committees to a ‘total of \$10,000 in any calendar year.’” *WRTL* at 1.

3. The Court discussed the First Amendment challenge brought by the plaintiff and its analysis beginning at page 21 of the opinion.

4. The Court summarized its holding:

[T]he Supreme Court has firmly rejected the argument that burdens on political speech might be justified based on their tendency to indirectly serve the government's anticorruption interest. *WRTL* at 3. ... That's the unmistakable upshot of the Court's categorical holding in *Citizens United* that independent expenditures do not corrupt or appear to corrupt.

Accordingly, we conclude that applying section 11.26(4), the \$10,000 aggregate annual contribution cap, to contributions to independent-expenditure committees like the Right to Life PAC violates the First Amendment.

WRTL at 29.

5. WHEREFORE, the Plaintiffs pray that the Court will consider *WRTL* in reaching its decision on the pending motions.

Submitted by,

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CERTIFICATE OF SERVICE

I certify that on 13 December 2011 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following attorneys:

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